

Tennessee Department of Environment and Conservation

Division of Solid Waste Management

Asbestos Containing Waste Material Disposal POLICY

Purpose

The purpose of this policy is to promote a consistent application of regulations and policy for dealing with the disposal of asbestos containing waste material (ACWM)(defined in DAPC Rule 1200-03-11-.02(1)(e)), which includes friable asbestos. This policy describes how the Memorandum of Agreement between the Divisions of Solid Waste Management (DSWM) and Division of Air Pollution Control (DAPC)(pn087) will be implemented by the DSWM Field Offices.

Background

Since 1990 the DSWM has been issuing “blanket” special waste approvals for ACWM disposal at landfills. A blanket special waste approval is possible because asbestos waste characteristics have minimal variance despite the frequency of disposal. Instituting a blanket special waste approval process for ACWM disposal helps increase the efficiency of the approval process at the Field Offices. Previous versions of this policy used the term friable asbestos in lieu of ACWM. However, DAPC Rule 1200-03-11-.02(5) and the Memorandum of Agreement (pn087) between the DAPC and DSWM establish disposal standards for ACWM. This term more completely describes asbestos waste than the term friable asbestos. ACWM, as defined in DAPC Rule 1200-03-11-.02(1)(e);

“means mill tailings or any waste that contains commercial asbestos and is generated by a source subject to the provisions of this rule. This term includes filters from control devices, friable asbestos waste material, and bags or other similar packaging contaminated with commercial asbestos. As applied to demolition and renovation operations, this term also includes regulated asbestos-containing material waste and materials contaminated with asbestos including disposable equipment and clothing.”

Procedure

Field Offices will issue blanket special waste approvals to landfills in their region which request approval to accept ACWM for disposal, and which demonstrate the ability to comply with procedures specified in the Memorandum of Agreement (pn087) and this Policy. The blanket special waste approval must be recertified by the landfill every three (3) years.

The requesting landfill will give the Field Office at least 24-hour advance notice (not including Saturday or Sunday) prior to the receipt of the ACWM for DSWM personnel to observe the procedures used by the landfill. If the landfill demonstrates compliance with the Memorandum of

Agreement and this Policy, then the Field Office will issue a blanket special waste approval that is effective for three (3) years.

The blanket special waste approval letter issued must incorporate the following:

1. The landfill must have a policy which requires the generator to provide them with advance notice of each shipment. The mechanism for this notice should be left up to the landfill and the generator.
2. Each shipment must be accompanied by the National Emission Standards for Hazardous Air Pollutants "Asbestos Waste Shipment Record" form (state form CN-1054)¹ or an equivalent record. The records must be available to DSWM staff for inspection.
3. All "Procedures for Disposal of ACWM", from the Memorandum of Agreement (pn087) with the DAPC must be incorporated in the approval letter. This can be done by either attaching a copy of pn087 to the approval letter or citing the procedures verbatim in the approval letter.
4. Any special provisions for asbestos disposal which have been developed or deemed necessary for that specific landfill site.

Prior to the expiration of the blanket special waste approval for ACWM disposal, the landfill will certify to DSWM that it is in compliance with the requirements of the current Memorandum of Agreement (pn087) and this Policy. If the Field Office determines that the landfill is likely to maintain compliance with these requirements, based both on conditions then current and the observations made by Field Office staff during the three years, then it will issue a renewed blanket special waste approval for the following three (3) years. Landfills will not be subject to special waste fees, specified in DSWM Rule 0400-11-01-.07(2), as they are not the generator of the waste.

Footnote

¹ The State of Tennessee has four (4) local regulatory areas that oversee Air Pollution Control requirements; their respective programs are granted authorization (or are authorized) by the State of Tennessee Division of Air Pollution Control (DAPC). Each local air pollution regulatory program is required to follow all applicable DAPC Rules. Rule numbers and form numbers may vary between local air pollution regulatory programs; therefore, if applicable, please use the appropriate local air pollution regulatory authority's form.



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